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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of.:	§	
	§	
Robert P. SCHNALL	§	
	§	
Serial	§	
No.:	§	
	§	
Filed:	§	Group Art Unit: 3735
	§	
For:	§	
BODY SURFACE PROBE,	§	
APPARATUS AND	§	
METHOD FOR NON-	§	
INVASIVELY DETECTING	§	
MEDICAL CONDITIONS	§	
	§	Attorney Docket: 28657
	§	
Examiner:	§	
Patricia C. Mallari	§	

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED
APPLICATION UNDER 37 CFR 1.137(b)**

Sir:

This is in response to the Notice of Abandonment dated October 31, 2008. The reason for the Notice was that Applicant's responses filed in response to the Final Office Action dated April 7, 2008 did not put the case in condition for allowance by October 7, 2008, six months from the date of the Final Office Action.

The abandoned application was a utility application.

Attached please find a reply to the April 7, 2008 Final Office Action.

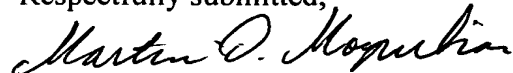
Please charge the petition fee under 37 CFR 1.17(m) in the amount of \$810 to Deposit Account **50-1407**.

12/19/2008 SZEWDIE1 00000003 501407 10520273
02 FC:2453 810.00 DA

As evidenced by the numerous responses filed in response to the Final Office Action, the entire delay in filing the required reply from the due date of the reply until the filing of this grantable petition was unintentional.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Respectfully submitted,

A handwritten signature in cursive script, reading "Martin D. Moynihan".

Martin D. Moynihan

Registration No. 40,338

Date: December 18, 2008